



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

17575 Peak Avenue Morgan Hill CA 95037 (408) 778-6480 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSIONERS

Wayne Tanda, Chair

Joseph H. Mueller, Vice Chair

Robert E. Escobar, Commissioner

Susan Koepp-Baker, Commissioner

John Liegl, Commissioner

John Moniz, Commissioner

PLANNING COMMISSION MEETING

APRIL 13, 2010

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

PLANNING COMMISSION AGENDA

APRIL 13, 2010

PAGE 2

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

ORDERS OF THE DAY

MINUTES: March 23, 2010

PUBLIC HEARINGS:

- 1) **30 Minutes** **ZONING AMENDMENT, ZA-09-07/ SUBDIVISION, SD-09-03/ DEVELOPMENT AGREEMENT, DA-09-03/ ENVIRONMENTAL ASSESSMENT, EA-09-20: MURPHY-PANCAL/PATEL:** The applicant is requesting approval of a zone change, subdivision and development agreement for the construction of 68 residential units (32 single-family homes and 36 townhomes) and approx. 1.16 acres of open space. The project site is 9.35 acres in size and is located between Condit Rd. and Murphy Rd., approximately 300 feet north of E. Dunne Ave., in an R2 (3,000) Zoning District. A mitigated Negative Declaration is proposed (APNs 728-17-018 & -022).

Recommendation: Recommend Council approval of mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; Adopt Resolution recommending Council approval of zoning amendment; Adopt Resolution approving Subdivision; and Adopt Resolution recommending Council approval of development agreement

- 2) **10 Minutes** **ZONING AMENDMENT, ZAA-09-01: MCLAUGHLIN-MALECH:** The applicant is requesting to amend an existing Planned Development overlay district over a 0.36-acre site to allow for the construction of four attached units on four separate lots of record. The existing Planned Development allows the construction of two duplex buildings on two lots of record. The site is located on McLaughlin Ct., 275 feet north of E. Central Ave., and is zoned CL-R, Light Commercial Residential/PD, Planned Development (APN 726-24-016).

Recommendation: Adopt Resolution recommending Council approval of zoning amendment

- 3) **15 Minutes** **USE PERMIT, UP-10-02: MONTEREY-TRINITY:** The applicant is requesting a Conditional Use Permit to use an approximately 2,275 sq ft building for religious purposes. The project is located at 17795 Monterey Rd (APN 764-13-044) and is zoned CL-R. This project is exempt from CEQA review.

Recommendation: Approve the Conditional Use Permit subject to the findings and conditions of the approval resolution.

PLANNING COMMISSION AGENDA

APRIL 13, 2010

PAGE 3

- 4) 60 Minutes **FINDING OF GENERAL PLAN CONSISTENCY FOR DRAFT FY 2010/11 – 2014/15 CAPITAL IMPROVEMENTS PROGRAM (CIP):** The Planning Commission is requested to review the draft Five-Year Capital Improvements Program (CIP) for consistency with the Adopted 2001 General Plan

Recommendation: Adopt Resolution with recommendation to forward the request to the City Council for approval.

TENTATIVE AGENDA FOR THE APRIL 27, 2010 MEETING:

- DAA-07-03A: E. Central-UHC
- DAA-05-07F: Wright Ave-Manana
- DAA-04-09E: E. Dunne-Jasper Park
- DAA-06-02D: San Pedro-Alcini
- DAA-06-04B: Diana-Chan
- DAA-08-01: Myrtle-Latala
- DAA-08-02: Diana-EAH
- EOT-10-03/DAA-07-03A: E. Central-UHC
- GPA-10-03: City of MH-2010 Housing Element
- RDCS Quarterly Report
- Zoning Amendment Applications for RDCS Text Amendments
- Multi-Family Vacancy Rate Report

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

PLANNING COMMISSION AGENDA

APRIL 13, 2010

PAGE 4

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)